

Application No. 10/806,812
Response to Office Action

Customer No. 01933

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claims 1 and 18 have been amended to clarify the feature of the present invention whereby the oscillation stage includes a laser for generating a laser beam in both a lower-order transverse mode and a single mode, as supported by the disclosure in the specification at, for example, page 11, lines 8-11 and page 12, lines 18-21.

In addition, claims 1-20 have been amended to more properly recite oscillation and amplification stages, rather than "stage lasers."

Still further, claims 1-3 and 18-20 have been amended to make some minor grammatical improvements and/or to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

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RE: THE PRIOR ART REJECTION

Claims 1-20 were rejected under 35 USC 102 as being anticipated by US 2004/0238762.

However, submitted herewith is a Declaration under 37 CFR 1.132 in which the inventor of the present invention declares that he is the inventor of the (unclaimed) cited disclosure in US 2004/0238762.

Accordingly, it is respectfully submitted that US 2004/0238762 is not a proper reference against the present application under 35 USC 102(e), and it is respectfully requested that the rejection under 35 USC 102 be withdrawn.

RE: IDS

An IDS is submitted herewith that includes a concise explanation of relevance of the Handbook of Laser listed in the IDS filed on March 22, 2004.

The IDS submitted herewith also lists JP 2003-92199, which is the publication of the original Japanese counterpart application of the present application, which was filed before the international application corresponding to the cited US 2004/0238762 was filed. The priority of the application corresponding to JP 2003-92199 is not claimed in the present application, and JP 2003-92199 does not qualify as a reference against the present application.

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In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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